

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JILL WATERS,</b>	:	<b>CIVIL ACTION NO. 1:21-CV-226</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>CRST,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 2nd day of July, 2021, upon consideration of the report (Doc. 15) of Magistrate Judge Martin C. Carlson, recommending that the court grant defendant's motion (Doc. 12) to dismiss plaintiff's complaint, wherein Judge Carlson finds that plaintiff has abandoned this litigation and failed to prosecute her case, (see Doc. 15 at 5-10), and that her complaint is time-barred in any event, (see id. at 10-12), and the court noting that plaintiff has not objected to the report, see FED. R. CIV. P. 72(b)(2), which further evinces her abandonment of this lawsuit, and further noting that failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should afford "reasoned consideration" to the uncontested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (quoting Henderson, 812 F.2d at 879), in order to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P. 72(b), advisory committee notes, and, following an

independent review of the record, the court being in agreement with Judge Carlson's recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. Magistrate Judge Carlson's report (Doc. 15) is ADOPTED.
2. Defendant's motion (Doc. 12) to dismiss is GRANTED.
3. Plaintiff's complaint (Doc. 1) is DISMISSED.
4. Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).
5. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner  
United States District Judge  
Middle District of Pennsylvania